IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

Crl.Rev.Pet.No. 3177 of 2007()

CRA.421/1999 of ADDL.SESSIONS COURT, THALASSERY
CC.434/1996 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TALIPARAMBA

.....

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

K. PREMNATH, S/O. K.DAMODARA MARAR ALIAS APPUNNI MARAR, KANNUR TUTORIAL TYPEWRITTING INSTITUTE, STATION ROAD, KANNUR (RESIDING AT THANA KANNUR).

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS: RESPONDENTS/COMPLAINANTS:

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1. A.K.P. VALSAN,
L.I.C. AGENT, S/O. DAMODARAN NAMBIAR,
KOOVERY AMSOM, DESOM, POST KOOVERY.

2. THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.P.BENNY JOSEPH
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24-08-2007 THE COURT ON 24/08/2007 PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.3177 of 2007

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Dated: 24th August 2007

ORDER

The accused in C.C. No. 434 of 1996 on th**e file** of the J.F.C.M., Taliparamba for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9276 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No.....

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Dated: 24th August 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M..... for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. .....of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is

recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.